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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/006,246	12/10/2001	Yukako Nii	1035-357	9946
23117	7590	05/18/2007	EXAMINER	
NIXON & VANDERHYE, PC			TRUONG, LAN DAI T	
901 NORTH GLEBE ROAD, 11TH FLOOR			ART UNIT	PAPER NUMBER
ARLINGTON, VA 22203			2152	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/006,246	NII ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Lan-Dai Thi Truong	2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 13 November 2006.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-14 and 16-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-14 and 16-35 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 10 December 2001 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____.                                     |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____.   | 6) <input type="checkbox"/> Other: _____.                         |

## **DETAILED ACTION**

1. This action is response to communications: application, filed 12/10/2001; amendment filed 11/13/2006. Claims 1-35 are pending; claim 15 is canceled; claims 1-13; 15-35 are amended
2. The applicant's arguments file on 11/13/2006 have fully considered but they are moot in view with new ground for rejections

## **Response to Arguments**

3. Applicant claims priority to Japanese Application No. 2001-28384 and 2001-335259, filed on February 05,2001, and October 31, 2001 are acknowledged
4. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., portable display) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).
5. Regarding to Applicant's arguments with respect to the cited references do not disclose claimed feature of: "an apparatus which issues an information recording medium" are not persuasive; Obardovich discloses a centralized control and management system of automobiles; therefrom received user security data is checked by a security system (343) to verify if the user is authorized to control/operate on the vehicle functions; the an apparatus/ and an information

recording medium inherently includes in the security system for storing vehicle using conditions/rights: figure 3; column 11, lines 32-65; column 12, lines 45-49)

### **Claim rejections-35 USC § 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

**Claims 1-14; 16-26, 28-35, are rejected under 35 U.S.C 103(a) as being unpatentable over Obradovich (U.S. 6,275,231) Murphy (U.S. 6,232,874) and further in view of Flick (U.S. 6,140,939)**

**Regarding claim 12:**

Obardonvick discloses the invention substantially as claimed, including an inside-vehicle information communication method, which can be implemented in a computer hardware or software code, comprising:

An electric display device processed by a passenger of device: (Obardonvick discloses a master interface having display employed in the system to help a user control and manage the vehicle functions: abstract)

Art Unit: 2152

Receiving the electronic ticket information via the communication section: (Obardonvick discloses the processor receives user's "PIN" which shares functionality with "electronic ticket information" as claimed through a display: column 11, lines 32-74)

A communication section for transmitting information to and receiving information: (Obardonvick disclose "a transmitter/receiver" which shares functionality with "communication section" as claimed: column 12, lines 18-20, 35-40)

Confirming, based on electronic ticket information, whether the passenger has right to use the vehicle: (Obardonvick discloses the processor indicates the unauthorized driver a deny access by causing driver door in the vehicle un-clocked; it would have been obvious in the art that at least one confirming message will be response to indicate the driver authorization status: column 12, lines 37-49)

Allowing the display device to access information services provide by the in-side vehicle if managing section confirms that the passenger has right to use the vehicle: (Obardonvick discloses a master interface including a display communicates with a control and management system for displaying vehicle functions to help authorized user to control and manage the vehicle functions: abstract; column 4, lines 18-50; column 11, lines 32-67; column 12, lines 1-45)

Providing information to the display device in response to an information request received from the display device: (Obardonvick: figure 7)

Memory section for saving vehicle using right information and private information: (Obardonvick discloses a IC memory/ or a magnetic medium used to store security and personal preference data: column 11, lines 32-47; column 12, lines 1-5, 50-55)

Art Unit: 2152

However, Obardonvick does not explicitly disclose step of causing an information server outputs a request for electronic ticket information to device possessed by a passenger of the vehicle upon receipt of a request for connection from the device

In analogous art, Murphy discloses the driver is requested to provide “indictum sample” which shares functionality with “electronic ticket” as claimed in response to received “command” which is equivalent to “request”: figure 2, items 31, 33, 35, 37; abstract, lines 1-12; column 2, lines 24-67; column 3, lines 1-9; column 6, lines 60-67; column 7, lines 1-32)

However, Obardonvick- Murphy does not explicitly disclose portable display device; and radio section; controlling section for controlling the radio section

In analogous art, Flick disclose “a remote keyless entry system” which shares functionality with “portable display device” includes biometric characteristic verification with a visual display which operates authorization for driver; the controlling section for controlling radio section inherently included in Flick’s system, see (abstract; column 5, lines 60-65; column 6, lines 1-2, 65-67; column 7, lines 1-15; column 8, lines 60-65)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate Murphy’s ideas of providing indicium sample in response to receive system command and Flick’s ideas of using portable controlling device into Obardonvick’s system in order to increase flexibilities, efficiencies and security for vehicle controlling system, see (Flick: column 2, lines 16-25)

**Regarding claims 1-2, 16-17, 32-35:**

Obradovich-Murphy-Flick discloses method as discuss in claim 12, which further includes an information server: (Flick discloses “a controller” which shares functionality with

Art Unit: 2152

“an information server” as claimed included in a vehicle for define if user is authorized user:  
abstract)

**Regarding claims 3-4, 8:**

Those claims are rejected under rationale of claim 1

**Regarding claim 11:**

This claim is rejected under rationale of claim 10

**Regarding claim 30:**

This claim is rejected under rationale of claim 18

**Regarding claim 10:**

Obradovich-Murphy-Flick discloses method as discuss in claim 12, which further includes a communication section: (Murphy discloses “transmitter/receiver” which shares functionality with “communication section” as claimed: figure 6, item 189; column 13, 29-67)

**Regarding claims 13-14:**

Obradovich-Murphy-Flick discloses method as discuss in claim 12, which further includes a vehicle for carrying passengers: (Murphy figure 1, item 13)

**Regarding claims 5-7 and 9:**

Obradovich-Murphy-Flick discloses method as discuss in claim 12, which further includes causing the server, provided in the vehicle, to specify a time and/or geographical range, in which the server can be used: (Murphy: abstract, lines 14-19)

**Regarding claim 18:**

Obradovich-Murphy-Flick discloses method as discuss in claim 12, which further includes checking of using condition: (In specification, page 44-45, Applicant discloses using

conditions stored in vehicle net ticket. In analogous art, Murphy discloses “driver identification” which is equivalent to “using condition” stored in “token” which shares functionality with “vehicle net ticket”. The received driver identification is used to compare with stored authorized driver identifications to determine if the driver has rights to use the vehicle: (abstract, lines 1-12; column 4, lines 48-56; column 2, lines 29-39; column 6, lines 60-67; column 7, lines 1-32)

**Regarding claims 19 and 28:**

Obradovich-Murphy-Flick discloses method as discuss in claim 12, which further includes

External communication section for performing communications with an information communication apparatus outside the vehicle: (Murphy discloses “a telecommunication module” which shares functionality with “external communication sections” as claimed: figure 6, item 185; column 14, lines 25-47)

Memory section for storing identification information: (Flick discloses controller includes storage used to store previous biometrics: column 5, lines 1-4)

Communication between the information communication apparatus and the portable unit: (Flick discloses “vehicle controller system” which shares functionality with “communicates with “information communication apparatus” as claimed, and “a visual display remote engine starting system” which shares functionality with “portable unit” as claimed: abstract)

**Regarding claims 20-22:**

Those claims are rejected under rationale of claim 19

**Regarding to claim 31:**

Art Unit: 2152

In addition to rejection in claim 12, Obradovich-Murphy-Flick further discloses checking of using conditions: (Obradovich discloses “user’s input PINs security levers” share functionality with “using conditions” as claimed: column 11, lines 60-67)

**Regarding to claims 23-24:**

In addition to rejection in claim 12, Obradovich-Murphy-Flick further discloses information recording medium: Obardovich discloses a centralized control and management system of automobiles; wherefrom received user security data is checked by a security system (343) to verify if the user is authorized to control/operate on the vehicle functions; the an apparatus/ and an information recording medium inherently includes in the security system for storing vehicle using conditions: column 11, lines 32-65; column 12, lines 45-49)

**Regarding claims 25-26, 29:**

In addition to rejection in claim 12, Obradovich-Murphy-Flick further discloses deleting information (it would have been obvious to a person of ordinary in the art; system will deleting unused item in order to save memory)

Claim 27 is rejected under 35 U.S.C 103(a) as being un-patentable over Obradovich-Murphy-Flick in view of Joao (U.S. 6,549,130)

**Regarding claims 27:**

Obradovich-Murphy-Flick discloses the invention substantially as disclosed in claim 1, but does not explicitly teach switching means for cutting off a connection between the portable communication terminal and the server so as to reconnect said portable communication to another portable communication terminal, wherein said switching means cuts off connection

between the portable communication terminal and the server, after the information communication performed between the server and the portable communication terminal is finished, and reconnected said portable communication terminal to another portable communication terminal, see (Joao discloses the command codes can be disable and then re-enable or reset: column 6, lines 37-47)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Joao's ideas of re-enable or reset connection with Obradovich-Murphy-Flick's system in order to increase flexibilities, see (Joao column 6, lines 37-47)

The prior arts made of records and not relied upon are considered pertinent to applicant's disclosure. The following patents and publications are cited to further show the state of the art with respect to "Inside-vehicle information communication method, Inside-vehicle information communication apparatus, Inside-vehicle information communication system; Inside-vehicle information communication program; recording medium storing the inside- vehicle information communication program; vehicle-provided communication network system, and information recording medium issuing apparatus": 6,188,326; 5698906; GB 2343017;

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

Art Unit: 2152

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

### **Conclusions**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lan-Dai Thi Truong whose telephone number is 571-272-7959. The examiner can normally be reached on Monday- Friday from 8:30am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob A. Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

05/12/2007



BUNJOB JAROENCHONWANIT  
SUPERVISORY PATENT EXAMINER